

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES--GENERAL

Case No. CV 08-08603 CBM(AJWx)

Date: January 09, 2009

Title: *Dwight Hunter v. Ownit Mortgage Solutions, Inc. et al.*

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ORDER dismissing the case without prejudice to file the matter in state court

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PRESENT:

The Honorable CONSUELO B. MARSHALL, UNITED STATES DISTRICT JUDGE

JOSEPH LEVARIO  
Deputy Clerk

N/A  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:  
N/A

ATTORNEYS PRESENT FOR DEFENDANTS:  
N/A

**PROCEEDINGS:**

The Court is in receipt of Plaintiff Dwight Hunter's response to Court's Order to Show Cause re Jurisdiction and finds that Plaintiff Dwight Hunter has failed to establish that this Court has subject matter jurisdiction over this case.

Plaintiff has failed to establish that the Court has federal question jurisdiction because Plaintiff has not alleged any federal causes of action and only alleges the following state causes of action: (1) fraud; (2) conspiracy to commit fraud; (3) equitable relief; (4) quiet title; and (5) injunctive relief. Plaintiff has also failed to establish that the Court has diversity jurisdiction because at least one of the Defendants, the San Bernardino County Sheriff's Department, is a citizen of California and Plaintiff is a citizen of California.

The Court dismisses the case without prejudice to refile the matter in state court.

IT IS SO ORDERED.

Initials of Deputy Clerk\_\_jl\_\_\_\_  
cc: Judge Marshall  
Parties of Record